

From: Doug Breitbart
To: Microsoft ATR
Date: 1/24/02 5:00pm
Subject: Re: Settlement

You Honor,

Seems to me the only real way to level the playing field does not have to do with a cosmetic Microsoft settlement cum gesture, but an order compelling Microsoft to disgorge the gains of their wrongful behavior. That would be in the form of a monetary penalty roughly equal to 85% of the Company's liquid assets and reserves, said money to be paid to all members of the class damaged by their actions, which would include the states, companies, and any other plaintiffs. With Microsoft deprived of the cash reserves that enable them to do the damage they do (ie give away Explorer to decimate Netscape, simply because they can), and their competitors in receipt of fresh competitive operating capital, a competitive landscape and environment would then result.

I think the proposed settlement is a fraction of what is appropriate.

Thank you for your review of the foregoing.

Sincerely,

Doug Breitbart

Douglas L. Breitbart
Principal
BedRockVentures LLC
315 East Glen Ave.
Ridgewood, NJ 07450
201-689-2150
fax: 201-689-2151
email: Doug@bedrockventures.com